REMARKS

Claims 1-16 and 20-38 are pending. Claims 17-19 have been canceled. Claims 11 and 20-23 have been amended. The title has been amended. The specification has also been amended. No new matter has been presented.

Applicants thank the Examiner for the indication that claims 24-33 are allowed.

The title of the application was objected to for lack of descriptiveness. The title has been amended, and withdrawal of this objection is respectfully requested.

The drawings were objected to for not including certain references contained in the specification. The specification has been amended to delete references to elements not shown in the drawings. Withdrawal of this objection is requested.

Claim 11 is rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter. Claim 11 has been amended in accordance with the Examiner's suggestion. Withdrawal of this rejection is respectfully requested.

Claims 1-16 and 34-38 are rejected under 35 USC 102(e) as being anticipated by Tabata, U:S. Patent No. 6,537,324. This rejection is respectfully traversed.

The present invention relates obtaining image data by scanning a document image, searching for an electronic file of the document based on the image data, and receiving the electronic file from a server computer to print it or to transmit the file to another device. Claims 1 and 6 specifically recite extracting location information that indicates the location of file from the image data, requesting the server computer to transfer the file based on the location information extracted by the extracting means, receiving a file transferred by the server computer, and transmitting the image data to a specific destination if the device fails to obtain the file from the server computer based on the location information. Tabata fails to disclose or suggest the claimed feature of transmitting the image data to a specific destination if the device fails to obtain the file from the server computer based on the location information.

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The Examiner asserts Tabata discloses transmitting the image data to a specific destination if it fails to obtain the file from the server computer based on the location information, citing col. 20, lines 53-62. The Examiner asserts that Tabata discloses that a determination step is made as to whether the versions match each other, and when the versions do not match, the file server 20A transfers the updated medium form 301 to be outputted on the screen.

Tabata discloses extracting image data information from information concerning a hypertext (col. 5, lines 30-31). The file server 20 stores a document in a hypertext form, and any correlated information file referred to from a hypertext is also stored therein as a hypertext (col. 6, lines 11-15). The server 20 incorporates software for retrieving any hypertext as well as correlated information stored in the file server in response to a request from a client in the network (col. 6, lines 15-20). In other words, Tabata discloses reading a paper hypertext, searching the linkage information read from the paper hypertext, and retrieving a correlated file according to the linkage information. Tabata does not, however, teach or suggest what happens if the device fails to obtain the file from the server computer based on the location information.

Referring to the portion of Tabata cited by the Examiner as corresponding to this claim limitation, Tabata discloses that the retrieving unit 70 fetches the file unit specifying information from the code area read by the scanner using the retrieval software, identifies a file unit and identifies a name of the original hypertext used to prepare the medium form as well as a version of the hypertext according to the hypertext identifying information and the version information (col. 20, lines 27-35). The name of the hypertext and the version thereof is then transferred to the identified file unit (file server 20A). The file server retrieves a name of any hypertext matching one among the hypertexts stored therein, and verifies that the retrieved hypertext version and the received hypertext version match (col. 20, lines 36-43).

According to Tabata, if the versions match, the file server 20A sends a message that the version of the read medium form 301 is an updated version to the network terminal equipment 70, and the network terminal 70 displays such a message (col. 20, lines 44-51). If the versions do not match, the file server 20A sends a message that the version of the read medium form 301 is not an

updated version to the network terminal equipment 70, and the network terminal 70 displays the above message as well as a message that a medium form 301 in the updated version is to be outputted on the screen thereof (col. 20, lines 52-62). According to this disclosure, Tabata is merely ensuring that the version of the hypertext received by the file server 20A matches the version which was intended to be retrieved. This does not relate to what is being claimed. Retrieving, displaying or printing various versions of a hypertext is not the same as transmitting image data to a specific destination if there is a failure to obtain a file from the server computer based on location information extracted from the image data. These concepts are completely unrelated, and as such, Tabata fails to teach or suggest the features of claim 1.

Claims 2-5 are allowable at least due to their dependency from claim 1. Claim 6 is a method claim which corresponds to claim 1, and is therefore allowable for the reasons set forth above. Claims 7-11 are allowable at least due to their dependency from claim 6.

Claim 12 recites a judging means for judging whether the second image data agrees with the first image data and notifying means for notifying the user of the fact of the disagreement if it is judged by the judging means that the second image data does not agree with the first image data. The Examiner cites to the same portion of Tabata (col. 20) as teaching these features. However, as stated above, Tabata merely determines whether the version of the hypertext received by the file server 20A matches the version which was intended to be retrieved. Tabata does not compare whether a first image data is the same as a second image data and notify a user if the they do not match. Tabata compares versions of a hypertext, which is distinctly different than what is being claimed. For at least this reason, claim 12 is allowable over Tabata.

Claims 13-16 are allowable at least due to their dependency from claim 12.

Claim 34 recites judging whether the document image is a color or monochromatic image based on the first image data, and transmitting the first image data to a specific destination if it is judged by the judging means that the document image is a color image, while transmitting the

second image data to the specific destination if it is judged that the document image is a monochromatic image. Tabata fails to teach or suggest this feature.

The Examiner asserts that Tabata teaches judging whether the document image is a color image or a monochromatic image at col. 7, lines 20-30. Applicants respectfully disagree.

Tabata, at col. 7, lines 20-30, merely discloses that any printer can be used for the output unit, but when a correlated information file to be outputting is a document not including described information (not a paper hypertext), any ordinary monochrome printer mat can be used. Tabata also discloses that if a correlated information file to be outputted is a medium form (a paper hypertext), it is preferable to use a color printer. Tabata does not disclose judging whether the document image is color or monochromatic, but merely discloses that it is preferable to use a color printer if the hypertext is being output. This does not mean that Tabata has judged that the outputted document contains a color image.

Tabata likewise fails to teach or suggest transmitting the second image data to the specific destination if it is judged that the document image is a monochromatic image. First, Tabata merely states that it is preferable that a color printer be used to output a hypertext file but a monochromatic printer can be used if the file is not a paper hypertext. This does not specifically mean that one printer is used for all color images and one is used for all monochromatic images, as suggested by the Examiner. Further, since Tabata does not make any judgment as to whether a document image to be output is color or monochromatic, the features of claim 34 are not taught or suggested.

Claims 35-38 are allowable at least due to their dependency from claim 34. Applicants request that this rejection be withdrawn.

Claims 17-19 and 22-23 are rejected under 35 USC 103(a) as being unpatentable over Tabata in view of Melen, U.S. Patent No. 6,262,121. This rejection is respectfully overcome.

Claims 17-19 have been canceled. Claims 22 and 23 are allowable at least due to their respective dependencies. Applicants request that this rejection be withdrawn.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 325772028000.

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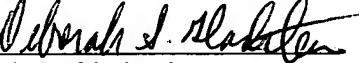
                                         By _____
                                         Deborah S. Gladstein
                                           Registration No.: 43,636
                                         MORRISON & FOERSTER LLP
                                         1650 Tysons Blvd, Suite 300
                                         McLean, Virginia 22102
                                         (703) 760-7753

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